



California Fair Political Practices Commission

January 30, 1989

Kevin C. Duggan
City Manager
City of Campbell
70 North First Street
Campbell, CA 95008

Re: Your Request for Advice
Our File No. A-88-450

Dear Mr. Duggan:

We have received your request for advice under the mass mailing provisions of the Political Reform Act.^{1/} As the city manager for the City of Campbell, you want to ensure that your city's newsletter is in compliance with the new mass mailing provisions contained in Proposition 73, the campaign finance reform initiative on the June 1988 primary ballot.

QUESTION

Does the city council roster contained in the city's newsletter comply with the mass mailing provisions of Proposition 73?

CONCLUSION

The sample of the proposed listing of elected officers for the City of Campbell is the type of roster which complies with the mass mailing provisions of the Political Reform Act.

DISCUSSION

Attached to your letter requesting advice was a copy of a page from the City of Campbell's newsletter which contains a roster of elected city officers. Each officeholder's name is in the same size typeface and type size and all are located together in a roster on an inside page of your

^{1/} Government Code Section 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

newsletter. Also contained within the roster of city officials is the date and location for meetings of the city council, planning commission, civic improvement commission and parks and recreation commission.

ANALYSIS

Government Code Section 89001 provides that no newsletter or other mass mailing shall be sent at public expense. The Commission, at its December 6, 1988 meeting, adopted Regulation 18901, which implements Section 89001. Regulation 18901.^{2/} Regulation 18901 provides that:

A newsletter or other mass mailing is not prohibited by Government Code Section 89001 if it meets all of the following criteria:

1) The stationery, form and envelopes used for the mailing are the standard stationary, forms and envelopes of the agency or committee of the agency; and

2) The name of an elected officer who is affiliated with the agency or committee appears in the standard letterhead or logotype of the stationery, forms or envelopes of the agency, a committee of the agency, or the elected official and the newsletter or mass mailing is not otherwise prohibited under subdivision (c).

As used in this subdivision, the term "letterhead or logotype" includes a listing of agency or committee officials or members, in which all who are listed appear in the same typeface and type size and location in the layout of the newsletter or other mass mailing.

As used in this subdivision, the term "standard letterhead or logotype" refers to any regularly used by the agency, subunit or the elected officer. Provided, however, that where a newsletter does not use the agency's standard stationery letterhead, a roster listing containing the names of all elected officers in the agency may be used in the newsletter in place of the agency's standard stationery letterhead.

Regulation 18901(e), (emphasis added.)

^{2/} This regulation although adopted by the Commission at its December 6, 1988 meeting is under review with the office of Administrative Law. We anticipate that it will be in effect on approximately April 1, 1989. We are advising that the regulation be followed while it is undergoing that review.


Kevin C. Duggan
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In applying the Commission's regulation to the roster listing you submitted with your letter, it appears that your roster complies with the regulation. The roster contains all of the names of the city's officials and their names appear in the same typeface, size and location in the layout.

If I can be of any further assistance to you, please feel free to contact me at (916) 322-5901.

Sincerely,

Diane M. Griffiths
General Counsel



By: Jeanette E. Turvill
Political Reform Consultant
Legal Division

DMG:JET:aa

CITY OF CAMPBELL

70 NORTH FIRST STREET
CAMPBELL, CALIFORNIA 95008
(408) 866-2100

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OFFICE OF THE MAYOR

November 23, 1988

Diane M. Griffiths
General Counsel
California Fair Political
Practices Commission
P.O. Box 807
Sacramento, CA 95804

Re: Request for Advice - Proposition 73 - Newsletters and Mass Mailings

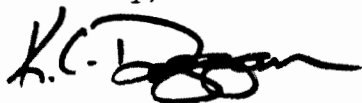
Dear Ms. Griffiths:

The City of Campbell produces a City newsletter three times each year that is mailed to all Campbell households. Minor modifications were made recently to the newsletter to assure compliance with Government Code Section 89001 as amended by Proposition 73 and as described in FPPC emergency regulations dated July 26, 1988.

We received a copy of a July 1, 1988 advice letter to Mr. Vance Raye, et al. The letter indicates that an agency newsletter may list members of governing boards in a standard roster-type listing. The emergency regulation, however, only refers to such listings in connection with a "standard letterhead or logo type of stationary, forms or envelopes". We are therefore requesting an advice letter to clarify if this exception applies to listings in the City newsletter. Attached is a sample of a roster we would like to include as a standard feature of our newsletter if permissible in your opinion.

Thankyou.

Sincerely,

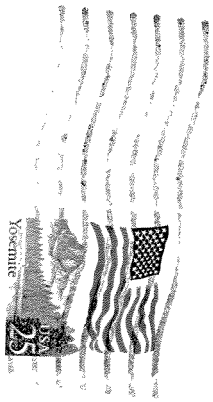


Kevin C. Duggan
City Manager

KCD:jw
F:Griffiths

Attachment

U.S.A.



Mr. John Larson, Chairman
Fairchild Prichard Commission
428 J Street Suite 800
Sacramento, CA 95814

CITY OF CAMPBELL

70 NORTH FIRST STREET
CAMPBELL, CALIFORNIA 95008
(408) 866-2100

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OFFICE OF THE MAYOR

November 23, 1988

Diane M. Griffiths
General Counsel
California Fair Political
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P.O. Box 807
Sacramento, CA 95804

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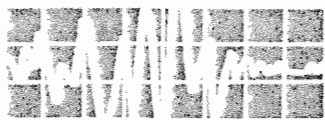
Sincerely,



Kevin C. Duggan
City Manager

KCD:jw
F:Griffiths

Attachment



Are You Prepared for the Next Earthquake

In response to the several small to moderate earthquakes that have recently jarred the State, you might have asked, "How can we possibly prepare for an earthquake?" Actually, preparation begins by merely taking a few simple precautions and becoming aware of potential hazards. By taking certain preparedness measures, the immediate effects of an earthquake can certainly be lessened.

The Campbell Fire Department recommends that we set aside some emergency supplies (food and water for 72 hours, flashlights, portable radio, first aid kit, fire extinguisher and tools such as wrenches to shut off gas and water mains). Family members should learn how to shut off utilities if lines are damaged. It is also important to know both danger spots (windows, mirrors, hanging objects, fireplaces and tall furniture) and safety spots (under sturdy tables, desks or against inside walls) in the home.

During an earthquake, if indoors, stay there and get under a desk, table or supported archway. If you are outside, get into an open area. If you are in a highrise building, stay away from windows and outside walls and do not use elevators.

After an earthquake, check for injuries and administer first aid. Do not use the telephone unless there is a serious emergency, and check for hazards. If there is damage to gas, water or electrical lines, turn off the utility at the source. Buildings should be checked for cracks and damage, particularly chimneys and masonry walls.

Finally, be prepared for aftershocks. These are usually smaller than the main quake, but some may be large enough to do additional damage to structures weakened during the initial quake.

For more information, or an Earthquake Safety checklist, contact the Campbell Fire Department at 866-2189.

City Council Highlights

MAY

- Adopted resolution accepting completion of Union Avenue reconstruction project
- Established an Underground Utility District for Downtown Campbell
- Amended Campbell Municipal Code to establish standards and procedures for review of large family day care homes

JUNE

- Adopted the 1988-89 fiscal year budget totalling \$21 million
- Adopted a five-year Capital Improvement Program
- Awarded a contract for extension of the Los Gatos Creek Trail to Campisi Way

JULY

- Approved canvass of June 7 election returns and confirmed voter approval of annexation of the Dover Territory and continuation of the City's Construction Tax
- Adopted an updated Fire Department Automatic Aid agreement with the City of San Jose
- Increased limits for mobile home rehabilitation loans

AUGUST

- Reappointed Commissioners Robert Stanton and James Walker to the Planning Commission and Commissioners Brent Evans and Marion Howard to the Civic Improvement Commission.
- Authorized a Budget Adjustment to increase the number of meals served at the Campbell Senior Nutrition Site from 75 to 85 per day.

Meeting Schedule

City Council	First and Third Tuesday, each month
Planning Commission	Second and Fourth Tuesday, each month
Civic Improvement Commission	Second Thursday, each month
Parks and Recreation Commission	Second Wednesday, each month

Council and Commission Meetings

City Council Chambers, 70 N. First Street, Campbell, 7:30 p.m.

City Councilmembers

Jeanette Watson, Mayor

John J. Ashworth, Vice Mayor

Barbara D. Conant

Donald R. Burr

Michael F. Kotowski